

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 58th LEGISLATURE - REGULAR SESSION

COMMITTEE ON NATURAL RESOURCES

Call to Order: By **VICE-CHAIRMAN JIM PETERSON**, on February 24, 2003 at 3:15 P.M., in Room 152 Capitol.

ROLL CALL

Members Present:

Rep. Gail Gutsche, Vice Chairman (D)
Rep. Jim Peterson, Vice Chairman (R)
Rep. Larry Cyr (D)
Rep. Sue Dickenson (D)
Rep. Ron Erickson (D)
Rep. George Everett (R)
Rep. Carol Lambert (R)
Rep. Rick Maedje (R)
Rep. Bruce Malcolm (R)
Rep. Brad Newman (D)
Rep. John (Jack) W. Ross (R)
Rep. Scott Sales (R)
Rep. Veronica Small-Eastman (D)

Members Excused: Rep. Cindy Younkin, Chairman (R), Rep. Debby Barrett (R), Rep. Kim Gillan (D), Rep. Christopher Harris (D), Rep. Michael Lange (R)

Members Absent: None.

Staff Present: Kathleen Ely, Committee Secretary
Larry Mitchell, Legislative Branch

Video-taped Committee: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. A video-taped recording of the meeting is available from the Montana Historical Society. THE TIME STAMP REPRESENTS ELAPSED TIME.

Committee Business Summary:

Hearing & Date Posted: HB 617, 2/17/2003; HB 669,
2/19/2003; HB 565, 2/17/2003; HB
708, 2/21/2003; HB 709, 2/21/2003
Executive Action: HB 581, TABLED
HB 617, DO PASS, 11-7
HB 565, TABLED
HB 708, TABLED
HB 709, DO PASS, 15-3
HB 669, DO PASS, 17-1
HB 545, DO PASS AS AMENDED, 11-7

HEARING ON HB 617

Opening Statement by Sponsor:

03:00 REP. MENDENHALL, HD 39 -- Short Title: Revise metal
mine reclamation laws

Proponents' Testimony:

06:00 Doug Bailey, Golden Sunlight Mines
08:00 Tammy Johnson, Whitehall
11:00 Hall Buckley, Mine Engineer, Golden Sunlight Mine
13:00 Angela Janacaro, Montana Mining Association
14:00 Marty Johnson, Electrician, Golden Sunlight Mine
15:00 Tom Savagni, Golden Sunlight Mine
17:00 Rick Jordan, Golden Sunlight Mine
18:00 Elaine Mann, Broadwater County Commissioner
19:00 Don Allen, Western Environmental Trade Association

Opponents' Testimony:

20:00 Tom Franz, Montana Wildlife Federation
25:00 Matt Clifford, Clark Fork Coalition

Informational Testimony:

30:00 Sherrie Cargill, Jefferson County Commissioner

Questions from Committee Members and Responses:

32:00

Closing by Sponsor:

46:00

07:00 CHAIRMAN YOUNKIN present.

HEARING ON HB 565

Opening Statement by Sponsor:

55:00 **REP. RASER, HD 70, Short Title:** Clarify scope of easements

Proponents' Testimony:

57:00 Randy Sneider, Montana Association of Realtors

EXHIBIT (nah41a01)

EXHIBIT (nah41a02)

1:07:00 Julie Dolan, Montana Association of Realtors

1:08:00 Peggy Trenk, Montana Association of Realtors

Opponents' Testimony:

1:09:00 Jim Fitzpatrick, Northwest Energy

1:10:00 Doug Hardy, Montana Electric Cooperatives

1:11:00 Tom Ebzere, Qwest

1:12:00 Steve Wade, Conoco, Burlington Northern Santa Fe Railroad

Informational Testimony: None.

Questions from Committee Members and Responses:

1:13:00

Closing by Sponsor:

1:20:00

HEARING ON HB 708

Opening Statement by Sponsor:

1:22:00 **REP. HARRIS, HD 30, Short Title:** Moratorium on permit issuance causing permanent degradation of Gallatin River.

Proponents' Testimony:

1:25:00 Stu Levit, American Wildlands

1:29:00 Robin Cunningham, Fishing Outfitters Association of Montana

1:31:00 Janet Ellis, Montana Audubon Society

Opponents' Testimony:

1:32:00 Don Allen, Western Environmental Trade Association

EXHIBIT (nah41a03)

Informational Testimony: None.

Questions from Committee Members and Responses:

1:38:00

Closing by Sponsor:

1:44:00

HEARING ON HB 709

Opening Statement by Sponsor:

1:22:00 **REP. HARRIS, HD 30, Short Title:** Revise remedial action
upon release of hazardous substance laws

Proponents' Testimony:

1:51:00 **REP. FORRESTER, HD 16**

1:55:00 Janet Ellis, Montana Audubon Society

Opponents' Testimony:

1:56:00 Sandi Olsen, Department of Environmental Quality

EXHIBIT (nah41a04)

Informational Testimony: None.

Questions from Committee Members and Responses:

2:02:00

Closing by Sponsor:

2:08:00

2:10:00 **VICE-CHAIRMAN PETERSON** assumed the Chair.

HEARING ON HB 669

Opening Statement by Sponsor:

0:00 **REP. YOUNKIN, HD 28, Short Title:** Revise park
dedication requirements for subdivisions

Proponents' Testimony:

2:13:00 Gordon Morris, Montana Association of Counties

Opponents' Testimony:

2:13:00 Janet Ellis, Montana Audubon Society

Informational Testimony: None.

Questions from Committee Members and Responses:

2:18:00

Closing by Sponsor:

2:21:00

5:36 p.m. Break

5:46 p.m. Resume

EXECUTIVE ACTION ON HB 581

Motion: REP. GUTSCHE moved that HB 581 DO PASS.

Motion/Vote: REP. GUTSCHE moved that HB 581 BE AMENDED. Motion carried unanimously.

Discussion:

2:35:00

Motion/Vote: REP. SALES moved that HB 581 BE TABLED. Motion carried 10-8 with REPS. CYR, DICKENSON, ERICKSON, GUTSCHE, HARRIS, NEWMAN, SMALL-EASTMAN and YOUNKIN voting no by roll call vote.

EXECUTIVE ACTION ON HB 617

Motion: REP. LANGE moved that HB 617 DO PASS.

Discussion:

2:45:00

Vote: Motion passed 11-7 with REPS. DICKENSON, ERICKSON, GILLAN, GUTSCHE, HARRIS, SALES and SMALL-EASTMAN voting aye by roll call vote.

EXECUTIVE ACTION ON HB 565

Motion: REP. HARRIS moved that HB 565 DO PASS.

EXHIBIT(nah41a05)

Motion/Vote: REP. EVERETT moved that HB 565 BE AMENDED. Motion failed by voice vote.

EXHIBIT(nah41a06)

Motion/Vote: REP. EVERETT moved that HB 565 BE AMENDED. Motion carried unanimously by voice vote.

EXHIBIT(nah41a07)

Motion/Vote: REP. MAEDJE moved that HB 565 BE TABLED. Motion carried 16-2 with EVERETT and GILLAN voting no by voice vote.

EXECUTIVE ACTION ON HB 708

Motion: REP. HARRIS moved that HB 708 DO PASS.

Motion/Vote: REP. HARRIS moved that HB 708 BE AMENDED. Motion carried unanimously by voice vote.

Motion: REP. HARRIS moved that HB 708 DO PASS AS AMENDED.

Discussion:

3:06:00

Motion/Vote: REP. ROSS moved that HB 708 BE TABLED. Motion carried 10-8 with REPS. CYR, DICKENSON, ERICKSON, GILLAN, GUTSCHE, HARRIS, NEWMAN, and SMALL-EASTMAN voting no by roll call vote.

EXECUTIVE ACTION ON HB 709

Motion: REP. HARRIS moved that HB 709 DO PASS.

Discussion:

3:13:00

Vote: Motion carried 15-3 with REPS. BARRETT, MALCOLM, and PETERSON voting no by voice vote.

EXECUTIVE ACTION ON HB 669

Motion/Vote: REP. PETERSON moved that HB 669 DO PASS. Motion carried 17-1 with REP. BARRETT voting no by voice vote.

EXECUTIVE ACTION ON HB 545

Motion/Vote: REP. PETERSON moved that HB 545 BE TAKEN OFF THE TABLE. Motion passed 11-7 with CYR, DICKENSON, ERICKSON, GUTSCHE, HARRIS, NEWMAN, and SMALL-EASTMAN voting no by voice vote.

Motion/Vote: REP. PETERSON moved that HB 545 DO PASS AS AMENDED (previously amended February 19, 2003). Motion carried 11-7 with REPS. CYR, DICKENSON, ERICKSON, GUTSCHE, HARRIS, MALCOLM, and SMALL-EASTMAN voting no.

ADJOURNMENT

Adjournment: 6:54 P.M.

REP. CINDY YOUNKIN, Chairman

PAMELA SCHINDLER, Secretary

CY/PS

EXHIBIT (nah41aad)